

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WASHINGTON INTERNATIONAL
INSURANCE COMPANY,

Plaintiff,

v.

ARTEK BUILDERS, INC.,

Defendant

CIVIL ACTION NO. 05-CV-10437-GAO

**JOINT MOTION TO EXTEND THE SCHEDULING ORDER REGARDING SUMMARY
JUDGMENT AND PRE-TRIAL MOTIONS DEADLINES**

The Plaintiff, Washington International Insurance Company (“WIIC”), the Defendant, Artek Builders, Inc.’s (“Artek”), and the Third-Party Defendant, J.S. Luiz, 3rd, Inc. (“J.S. Luiz”), move this honorable Court to extend the Scheduling Order deadlines currently requiring Motions for Summary Judgment to be served and filed by December 8, 2005 and all pre-trial motions to be served and filed no later than December 15, 2005, for a period of thirty (30) days. In support of their Motion, the parties state as follows:

1. WIIC’s principal and Third-Party Defendant, J.S. Luiz, was recently added to this case as a Third-Party Defendant.
2. On November 23, 2005, J.S. Luiz’s new counsel filed a Motion to Dismiss the Third-Party Complaint filed against J.S. Luiz by Artek.
3. As a result of J.S. Luiz’s recent addition to this case and the Motion to Dismiss that has been filed on its behalf, discovery has unexpectedly continued in this matter and additional documentation needs to be reviewed which may pertain to the parties’ dispositive motions.

4. Accordingly, WIIC, Artek and J.S. Luiz jointly move this Court to extend the summary judgment deadlines from December 8, 2005 to January 9, 2006, and extend the deadline for filing all pre-trial motions from December 15, 2005 to January 16, 2006.

5. The requested extension is limited in time and does not prejudice any party.

6. J. S. Luiz notes that, if its Motion to Dismiss is denied, it will require time to do discovery on the new claim for damages against it.

WHEREFORE, Washington International Company and Artek Builders, Inc., respectfully request that this Court grant their Motion seeking an extension of the current Scheduling Order for Motions for Summary Judgment and all pre-trial motions, making Motions for Summary Judgment due on January 9, 2006 and all pre-trial motions to be served and filed no later than January 16, 2006.

Respectfully Submitted,

Washington International Insurance Company,
By its attorneys,

/s/ Paula-Lee Chambers
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Assented to:

Artek Builders, Inc.,
By its attorney,

/s/ Gerald E. Johnson
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Assented to:

J.S. Luiz, 3rd, Inc.
By its attorney,

/s/ Michael Franco
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Date: December 8, 2005